

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 19-CR-08

CHRIS KUBIAK,

Defendant.

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**STIPULATION AND PROTECTIVE ORDER GOVERNING DISCOVERY**

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Pursuant to Rule 16(d) of the Federal Rules of Criminal Procedure, it is hereby stipulated by the parties and ordered by the Court:

1. All materials provided by the United States in preparation for, or in connection with, any stage of the proceedings in this case (collectively “the materials”) are subject to this protective order and may be used by the defendant and defendant’s counsel (defined as counsel of record in this case) and by “authorized persons” (as hereinafter defined) solely in connection with the defense of this case, and for no other purposes, and in connection with no other proceeding, without further order of this Court.

2. Defendant and defendant’s counsel shall not disclose the materials or their contents directly or indirectly to any person or entity other than persons employed to assist in the defense, persons who are interviewed as potential witnesses, counsel for potential witnesses, and other persons to whom the Court may authorize disclosure (collectively, “authorized persons.”) Authorized persons may be shown copies of the materials as necessary to prepare the defense, but may not retain copies without prior permission of the Court.

3. Defendant, defendant's counsel, and authorized persons shall not copy or reproduce the materials except in order to provide copies of the materials for use in connection with this case by defendant, defendant's counsel, and authorized persons. Such copies shall be treated in the same manner as the original materials.

4. Defendant, defendant's counsel, and authorized persons shall not disclose any notes or records of any kind that they make in relation to the contents of the materials, other than to authorized persons, and all such notes or records are to be treated in the same manner as the original materials.

5. Before providing any materials to an authorized person, defense counsel must provide the authorized person with a copy of this order.

6. Upon conclusion of all stages of this case, all of the materials and all copies made thereof shall be disposed of in one of three ways, unless otherwise ordered by the Court. The materials may be (1) destroyed, in which case defense counsel shall notify the government's counsel that the materials have been destroyed; (2) returned to the United States; or (3) retained in defense counsel's case file, in which case the restrictions of this Order will continue to be in effect for as long as the materials are so maintained and the material may not be disseminated or used in connection with any other matter without further order of the Court.

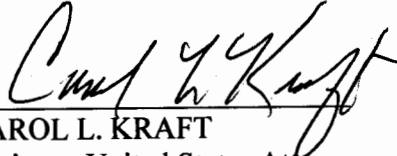
7. The restrictions set forth in this Order do not apply to documents that are or that become part of the public record, including documents that have been received at other trials. Personal identifying information and personal financial information contained in any discovery materials shall be redacted if the discovery material is filed with the Court. If it is necessary for the Court to review the personal identifying information or personal financial information

contained within the discovery materials or a description thereof, such filing shall be made under seal.

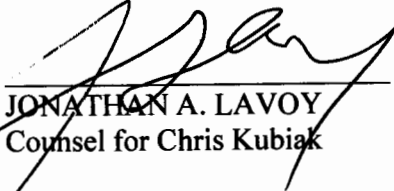
8. Nothing contained in this Order shall preclude any party from applying to this Court for further relief or for modification of any provision hereof.

STIPULATED AND AGREED:

2/1/19  
Date

  
CAROL L. KRAFT  
Assistant United States Attorney  
Counsel for the United States

2/1/19  
Date

  
JONATHAN A. LAVOY  
Counsel for Chris Kubiak

SO ORDERED:

This 1 day of February 2019

  
NANCY JOSEPH  
United States Magistrate Judge